

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HAWK VALLEY, INC., a Pennsylvania Corporation, individually and as the representative of a class of similarly-situated persons,)	
)	
)	
)	No. 5:10-cv-00804
)	
Plaintiff,)	Judge James Knoll Gardner
)	
v.)	Magistrate Henry S. Perkin
)	
ELAINE G. TAYLOR,)	
ENVIRONMENTAL PROCESS)	
SYSTEMS INC., and JOHN DOES 1-10,)	
)	
Defendants.)	

**PLAINTIFF’S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT AND NOTICE TO THE CLASS**

Plaintiff, Hawk Valley, Inc. (“Plaintiff”), moves pursuant to Fed. R. Civ. P. 23(e) for entry of an order preliminary approving the parties’ Class Settlement Agreement and approving their proposed notice to the class, along with one of the two competing versions of the Proof of Claim form. Plaintiff has submitted a memorandum in support of this motion and requests that the Court enter an order (a) preliminarily approving the parties’ Class Settlement Agreement (the “Agreement”) attached hereto as Exhibit A to the Memorandum, (b) approving the form of Class Notice attached to the Agreement as Exhibit 2 and approving its distribution by facsimile to members of the class along with the Proof of Claim form selected by the Court (either Exhibit B to the Memorandum (Plaintiff’s proposal) or Exhibit C to the Memorandum (Defendants’ proposal)), and (c) setting dates for class members to exclude themselves from or object to the settlement (the parties

suggest April 20, 2015). The Court previously scheduled the final “fairness” hearing for August 6, 2015, at 10:00 o’clock a.m. in Courtroom 4B, Edward N. Cahn United States Courthouse, 504 West Hamilton Street, Allentown, Pennsylvania, at which time and place the Court may hear arguments in favor or against approval of the settlement. (Doc. 183). A proposed *Order Preliminarily Approving Class Action Settlement, and Approving Class Notice* is attached as Exhibit 1 to the Agreement and will be submitted to the Court in electronic format.

Dated: January 27, 2015

Respectfully submitted,

HAWK VALLEY, INC., individually and as
the representative of a class of similarly-
situated persons

/s/ Alan C. Milstein

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that this motion was filed on January 27, 2015, using the Court's CM/ECF system, which automatically serves a copy on each counsel of record.

/s/ Alan C. Milstein